

**TOWN PLAN AND ZONING COMMISSION  
REGULAR MEETING - MONDAY, JUNE 1, 2015 – LEGISLATIVE CHAMBER,  
ROOM 314, TOWN HALL, WEST HARTFORD, CT 06107**

**MINUTES**

**CALL TO ORDER/ROLL CALL: 7:00 P.M.**

**ATTENDANCE:** Vice Chair: Michele Maresca; Commissioners: Kevin Ahern and Michael Seder, Alternates: Liz Gillette and John O'Donnell; Todd Dumais, Town Planner/TPZ Secretary; Catherine Dorau, Associate Planner; Patrick Alair, Deputy Corporation Counsel

**ABSENT:** Kevin Prestage, Chair; Commissioner: Paul Freeman; Alternate: Mishone Donelson.

**ADJOURNMENT:** Motion/Seder; Second/Gillette (5-0). Meeting adjourned at 10:15 PM

**MATTERS FOR PUBLIC HEARING SHALL BE CALLED AT 7:15 P.M.**

\*\*\*\*\*

**MINUTES:**

Approval of Minutes:

- a. Minutes of the Regular Meeting, Monday, May 4, 2015.  
Motion/Ahern ; Second/Gillette; Vote: 3-0 Voting: Ahern, Maresca, Gillette

\*\*\*\*\*

**NEW BUSINESS:**

**Talcott Road (north of Chelton Avenue)** – Application (IWW #1030) of Metropolitan District Commission (MDC) (Dan Hageman, Contact) requesting approval of a map amendment to the Official Inland Wetlands and Watercourses Map of the Town of West Hartford. The proposed amendment is based on an on-site soil survey prepared by a professional soil scientist. (Submitted for IWWA receipt on June 1, 2015. Suggest required public hearing be scheduled for July 8, 2015.)

After a brief review of the application and its related exhibits and after consideration of staff technical comments, the IWWA acted by **unanimous vote ( 5-0 )** (Motion/Seder; Second/Ahern) (Gillette seated for Prestage)(O'Donnell seated for Freeman) to schedule this matter for public hearing on Wednesday, July 8, 2015 at 7:15 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.

\*\*\*\*\*

**Talcott Road (north of Chelton Avenue)** – Application (IWW #1031) of the Metropolitan District Commission (MDC) (Dan Hageman, Contact) requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities which may have an adverse impact on a wetland and watercourse area. The applicant proposes construction activities related to the South Hartford Conveyance and Storage Tunnel Project which include a drop shaft to the South Tunnel, a connection from the West Hartford consolidation Conduit, an odor control facility, parking area and an emergency generator. (Submitted for IWWA receipt on June 1, 2015. Presented for determination of significance.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, the IWWA acted by **unanimous vote (5-0)** (Motion/Seder; Second/Ahern (Gillette seated for Prestage) (O'Donnell seated for Freeman) to find the proposed regulated activity to be **POTENTIALLY SIGNIFICANT** and set this matter for public hearing on Wednesday, July 8, 2015 at 7:15 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.

\*\*\*\*\*

**Hillcrest Avenue (adjacent to 957 New Britain Avenue)** – Application (IWW#1032) Metropolitan District Commission (MDC) (Dan Hageman, Contact) requesting approval of a map amendment to the Official Inland Wetlands and Watercourses Map of the Town of West Hartford. The proposed amendment is based on an on-site soil survey prepared by a professional soil scientist. (Submitted for IWWA receipt on June 1, 2015. Suggest required public hearing be scheduled for July 8, 2015.)

After a brief review of the application and its related exhibits and after consideration of staff technical comments, the IWWA acted by **unanimous vote ( 5-0 )** (Motion/Ahern; Second/Gillette) (Gillette seated for Prestage)(O'Donnell seated for Freeman) to schedule this matter for public hearing on Wednesday, July 8, 2015 at 7:15 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.

\*\*\*\*\*

**Hillcrest Avenue (adjacent to 957 New Britain Avenue)** – Application (IWW #1033) of the Metropolitan District Commission (MDC) (Dan Hageman, Contact) requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities which may have an adverse impact on a wetland and watercourse area. The applicant proposes construction of structures connecting the Newington and New Britain Consolidation Conduits as well as connecting piping, drop and ventilation shafts and an odor control facility for the South Hartford Conveyance and Storage Tunnel Project. (Submitted for IWWA receipt on June 1, 2015. Presented for determination of significance.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, the IWWA acted by **unanimous vote (5-0)** (Motion/Ahern; Second/Gillette)(Gillette seated for Prestage) (O'Donnell seated for Freeman) to find the proposed regulated activity to be **POTENTIALLY SIGNIFICANT** and set this matter for public hearing on Wednesday, July 8, 2015 at 7:15 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.

\*\*\*\*\*

**171 Still Road**– Application (IWW #1034) of Jonathan Hochman (owner) requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities which may have an adverse impact on a wetland and watercourse area. The applicant proposes the construction of an approximately 920 s.f. in-ground pool and 700 s.f. patio. (Submitted for IWWA receipt on June 1, 2015. Presented for determination of significance.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, the IWWA acted by **unanimous vote (5-0)** (Motion/Ahern; Second/O'Donnell) (Gillette seated for Prestage) (O'Donnell seated for Freeman) to find the proposed regulated activity to be **POTENTIALLY SIGNIFICANT** and set this matter for public hearing on Wednesday, July 8, 2015 at 7:15 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.

\*\*\*\*\*

**2626 Albany Avenue**– Application (SUP #1275) of the Joy of Food, LLC (Paul Bettan, Applicant) requesting approval of Special Use Permit to operate an accessory, full service, kosher catering business at the Beth El Temple. (Submitted for TPZ receipt on June 1, 2015. Suggest required public hearing be scheduled for July 8, 2015.)

After a brief review of the application and its related exhibits and after consideration of staff technical comments, the TPZ acted by **unanimous vote ( 5-0 )** (Motion/Gillette; Second/Seder) (Gillette seated for Prestage) (O'Donnell seated for Freeman) to schedule this matter for public hearing on Wednesday, July 8, 2015 at 7:15 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.

\*\*\*\*\*

**OLD BUSINESS SCHEDULED FOR PUBLIC HEARING AND DECISION ON JUNE 1, 2015:**

**289 South Main Street** – Application (SUP #1272) of the Town of West Hartford & Angelo Chirico/Rockledge Restaurant Inc. dba Angelo's On Main-Rockledge (Helen Rubino-Turco, Director of Leisure Services, Town of West Hartford) seeking a Special Use Permit to allow Rockledge Restaurant to provide outdoor dining from the existing outdoor deck, existing snack shack and proposed mobile refreshment cart throughout the course, including the sales of beer (cans) and pre-mixed cocktails. (Submitted for TPZ receipt on May 4, 2015. Required public hearing scheduled for June 1, 2015.)

After a review of the application and its related exhibits and after consideration of staff technical comments and the public hearing record, the TPZ acted by **unanimous vote (5-0)** (Motion/Seder; Second/O'Donnell)(Gillete seated for Prestage)(O'Donnell seated for Freeman) to **APPROVE** the subject application. During its discussions and deliberations on this matter, the Commission made the following findings and conditions:

1. The proposal meets the finding requirements of Section 177-42A (5a) of and 177.37.2 of the West Hartford Code of Ordinances.
2. Plans on file shall guide the appearance and operation of the outdoor dining area.

3. Pursuant to West Hartford Code of Ordinances Section 177-42A(8), the applicant shall return to the TPZ by May 2017 for further review and evaluation. The TPZ may consider supplemental conditions of approval if operational concerns are identified.
4. Plans will reflect the number of outdoor dining seats at fifty-six (56) seats.
5. The applicant shall comply with the operational statement submitted as part of the application. The operational statement shall be stripped onto the final plan.
6. This letter of approval shall be stripped onto the final plan.

\*\*\*\*\*

**1420 Farmington Avenue** – Application (IWW # 1026) of the Metropolitan District Commission (MDC) (Galen Semprebon, PE) requesting approval of a map amendment to the Official Inland Wetlands and Watercourses Map of the Town of West Hartford. The proposed amendment is based on an on-site soil survey prepared by a professional soil scientist. (Submitted for IWWA receipt on May 4, 2015. Suggest required public hearing be scheduled for June 1, 2015.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments and the public hearing record, the IWWA acted by **unanimous vote ( 5-0 )** (Motion/Seder; Second/O'Donnell)(Gillette seated for Freeman) (O'Donnell seated for Prestage) to **APPROVE** the subject application. During its discussion and deliberation on this matter, the Agency made the following findings:

1. The proposed amendment has been prepared by a certified soil scientist and is based on an on-site soil survey following approved wetland identification techniques.
2. A mylar of the approved wetland map amendment shall be provided to the Town Planning Office for filing in the wetland map files. The approved amendment shall also be submitted in electronic format for inclusion into the Town's Geographic Information System.

\*\*\*\*\*

**1420 Farmington Avenue** – Application (IWW #1027) of the Metropolitan District Commission (MDC) (Galen Semprebon, PE) requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities which may have an adverse impact on a wetland and watercourse area. The applicant is seeking approval for the construction of the Kilkenny transmission main project. The project will improve the distribution system performance within the Kilkenny and UConn Health Services areas and will provide a redundant pipeline to the storage tanks and improve flow in and out of the tanks. The construction proposed is within the inland wetlands and upland review area. (Submitted for IWWA receipt on May 4, 2015. Determined to be potentially significant and set for public hearing on June 1, 2015.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, and the public hearing record the IWWA acted by **unanimous vote ( 5 -0 )** (Motion/Ahern; Second/O'Donnell) (Gillette seated for Prestage)(O'Donnell seated Freeman) to **CONDITIONALLY APPROVE** the proposed regulated activity and to direct that a wetland permit to be issued. During its discussion and deliberation on this matter, the Agency made the following findings:

**1420 FARMINGTON AVENUE**  
**INLAND WETLAND APPLICATION IWW#1027**  
**COMPLIANCE WITH SECTION 10.2 and 10.4**  
**STANDARDS AND CRITERIA FOR DECISION**

The request to conduct certain regulated activities at **1420 Farmington Avenue** in West Hartford, Connecticut pursuant to an Inland Wetland and Watercourse application **IWW #1027** should be approved as the Standards and Criteria for Decision as set forth in the Inland Wetlands and Watercourses Regulations for the Town of West Hartford in Section

10.2 have been favorably met. During its discussions and deliberations on this matter, the agency made the following findings:

[1.] The environmental impact of the proposed regulated activity on wetlands or watercourses will not be so significant as to warrant the denial of this application. To support this action, the applicant's environmentalists, Sigrun Gadwa and George Logan, Professional Soil Scientists of REMA Ecological Services, LLC have submitted a report dated February 25, 2015.

[2.] The applicant's purpose for the proposed regulated activity is a valid and useful one which alternatives would cause less or no environmental impact to wetlands or watercourses;

[3.] The feasible and prudent alternatives to the proposed activity have been analyzed by the applicant and the proposed activity is likely to cause less or no environmental impact to wetlands or watercourses than those alternatives.

[4.] The short-term and long-term impacts of the proposed regulated activity on wetlands or watercourses are not to be so significant as to warrant denial of this application.

[5.] The long term productivity of the wetlands or watercourses will not be damaged by the approval of this application;

[6.] The proposed regulated activity will not cause irreversible and irretrievable loss of wetland or watercourse resources.

[7.] The proposed regulated activity neither threatens nor impacts the safety, health or reasonable use of property; and

[8.] The proposed regulated activity and future activities associated with or reasonably related to, the proposed regulated activities which are made inevitable by the proposed regulated activity will not have significant impacts on wetlands or watercourses outside the area for which the activity is proposed.

In addition the Agency considered measures which would mitigate the impact of the proposed activity and may be imposed as conditions of the permit. Such measures include the availability of further technical improvements or safeguards which could feasibly be added to the plan or action to avoid the reduction of or damage to the wetland's or watercourses natural capacity to support desirable biological life, prevent flooding,

supply water, control sedimentation and/or prevent erosion, assimilate wastes, facilitate drainage, and provide recreation and open space. The Agency renders its decision to issue this permit on the following considerations and criteria:

- A. That the natural functions and quality of water in local drainage systems both on and off-site shall be preserved and maintained.
- B. That the overall impact of this development on the environment will be kept to a minimum if the conditions imposed by this permit are carried out by the applicant.
- C. There are no reasonable and prudent alternatives which will allow the same activity to be carried out on the proposed site.
- D. During the period when this permit remains in force, the applicant and the Inland Wetland and Watercourses Agency will be working together in good faith to resolve any matters that may arise relative to the environmental impact on the community due to the activities of the applicant.

The Agency hereby authorizes the applicant to conduct a series of regulated activities on a parcel of land which falls under the jurisdiction of the Inland Wetlands and Watercourse Act of the Connecticut General Statutes and the Inland Wetlands and Watercourses Regulations of the Town of West Hartford. Said parcel of land is located **1420 Farmington Avenue.**

This permit is issued and made subject to the following conditions:

- 1.) Plans of record are incorporated by reference in this permit as fully set forth herein.
- 2.) This IWWA permit approval shall be stripped onto the final set plan.
- 3.) The applicant shall retain a professional engineer to oversee construction of all improvements and related facilities and certify they have been constructed in accordance with the approved plan.
- 4.) The wetland permit is subject to full compliance with the Town erosion and sediment control requirements.
- 5.) No blasting shall be permitted within 400' of "Wetlands Area E" between March 15<sup>th</sup> and April 15<sup>th</sup>.
- 6.) All recommendations of the Applicant's Environmental Professional shall be incorporated into the final plans.

## **SPECIAL SITE DEVELOPMENT AND EROSION CONTROL CONDITIONS**

An integral requirement of this approval is the early installation and construction of all drainage facilities, and all needed erosion and sedimentation control measures. Prior to the start of any construction, related to on-site improvements, site grading or unit construction, the applicant shall install the needed protective measures and shall continuously maintain such throughout the construction process. The requirement of Article VIII, at Section 177-60 through 177-67 of the Code of Ordinances related to Erosion and Sedimentation Control shall govern all site construction activity.

In addition to the above basic requirements, this permit is issued and made subject to the following conditions:

- 1) The applicant shall retain a professional engineer to inspect/oversee construction and the installation/maintenance of the sedimentation and control measures. Inspection shall occur weekly and after each rainstorm and during major storm events to determine all sedimentation and erosion control measures are adequately in place and effective. Biweekly inspection reports shall be provided to the Town Planner and Town Engineer.
- 2) Removal of topsoil will not be permitted until the required siltation/erosion control devices have been installed and inspected by the applicant's engineer. The applicant's engineer shall certify that all erosion and sedimentation controls have been installed according to the approved plan.
- 3) Disturbed areas that will remain idle for extended periods shall be mulched or temporarily seeded for erosion control. In addition, the site contractor shall keep an adequate supply of mulch on site at all times. The Director of Community Services or his designee may order the application of mulch to any area which may have erosion potential.
- 4) The top soil will be stockpiled only in an approved locations.
- 5) No unnecessary encroachments of construction equipment or vehicles shall be permitted in non-construction areas. Vehicular access to undisturbed areas of the site is restricted to the minimum necessary to complete erosion control and utility work.
- 6) In addition to the measures shown on the plans, additional erosion and sedimentation control measures shall be installed when determined necessary by the Director of Community Services, or his designee.
- 7) The permit shall expire if not exercised within two (2) years from the date of issuance, or date of final resolution of any legal action challenging this permit. This permit shall not be assigned, transferred, sublet or sold to any other person without written permission of the Agency.
- 8) Town Engineering Division shall receive copies of all material received by IWWA.

By this letter the IWWA is transmitting a notice of IWW permit approval. This notice is given to the West Hartford Town Clerk and to the State of Connecticut Department of Energy & Environmental Protection per the requirements of the Inland Wetlands and Watercourses Regulations.

\*\*\*\*\*

**1420 Farmington Avenue** – Application (SUP #1274) of the Metropolitan District Commission (MDC) (Galen Semperebon, PE) seeking a Special Use Permit to authorize the construction of the Kilkenny transmission main project. (Submitted for TPZ receipt on May 4, 2015. Required public hearing scheduled for June 1, 2015.)

After a review of the application and its related exhibits and after consideration of staff technical comments and the public hearing record, the TPZ acted by **unanimous vote (5-0)** (Motion/O'Donnell; Second/Ahern)(Gillette seated for Prestage) (O'Donnell seated for Prestage) to **APPROVE** the subject application. During its discussions and deliberations on this matter, the Commission made the following findings and conditions:

1. The proposal meets the finding requirements of Section 177-42A (5a) of the West Hartford Code of Ordinances. In particular:

- a. The location and size of the use, the nature and intensity of the operations connected with this use, the size of the lot in relation to it and the location of the lot with respect to streets giving access to it are such that it will be in harmony with the appropriate and orderly development of the district in which it is located.
  - b. The kind, location and height of all structures and the nature and extent of the landscaping on the lot are such that the use will not hinder or discourage the appropriate development and use of adjacent properties.
  - c. The parking and loading facilities are adequate and properly located for the proposed use, and the entrance and exit driveways are laid out so as to achieve maximum safety.
2. No blasting shall be permitted within 400' of "Wetlands Area E" between March 15<sup>th</sup> and April 15<sup>th</sup>.
  3. All recommendations of the Applicant's Environmental Professional shall be incorporated into the final plans.
  4. This approval letter shall be stripped onto the final set plan.

\*\*\*\*\*

**67 Arlen Way** – Application (IWW #1028) of Shawn Burke (Paul Keily, Esq., Contact) requesting approval of a map amendment to the Official Inland Wetlands and Watercourses Map of the Town of West Hartford. The proposed amendment is based on an on-site soil survey prepared by a professional soil scientist. (Submitted for IWWA receipt on May 4, 2015. Required public hearing scheduled for June 1, 2015.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments and the public hearing record, the IWWA acted by **unanimous vote ( 5-0 )** (Motion/O'Donnell; Second/Gillette)(Gillette seated for Freeman) (O'Donnell seated for Prestage) to **APPROVE** the subject application. During its discussion and deliberation on this matter, the Agency made the following findings:

3. The proposed amendment has been prepared by a certified soil scientist and is based on an on-site soil survey following approved wetland identification techniques.
4. A mylar of the approved wetland map amendment shall be provided to the Town Planning Office for filing in the wetland map files. The approved amendment shall also be submitted in electronic format for inclusion into the Town's Geographic Information System.

\*\*\*\*\*

**67 Arlen Way** – Application (IWW #1029) of Shawn Burke (Paul Keily, Esq., Contact) requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities which may have an adverse impact on a wetland and watercourse area. The applicant proposes to construct a new approximately 1,868 s.f. footprint single family home and associated site improvements. Site improvements include grading, paved driveway, concrete sidewalk and retaining



wall. (Submitted for IWWA receipt on May 4, 2015. Determined to be potentially significant and set for public hearing on June 1, 2015.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, and the public hearing record the IWWA acted by **unanimous vote ( 5 -0 )** (Motion/ODonnell; Second/Seder) (Gillette seated for Prestage)(O'Donnell seated Freeman) to **CONDITIONALLY APPROVE** the proposed regulated activity and to direct that a wetland permit to be issued. During its discussion and deliberation on this matter, the Agency made the following findings:

**67 ARLEN WAY**  
**INLAND WETLAND APPLICATION IWW#1029**  
**COMPLIANCE WITH SECTION 10.2 and 10.4**  
**STANDARDS AND CRITERIA FOR DECISION**

The request to conduct certain regulated activities at **67 Arlen Way** in West Hartford, Connecticut pursuant to an Inland Wetland and Watercourse application **IWW #1029** should be approved as the Standards and Criteria for Decision as set forth in the Inland Wetlands and Watercourses Regulations for the Town of West Hartford in Section 10.2 have been favorably met. During its discussions and deliberations on this matter, the agency made the following findings:

- [1.] The environmental impact of the proposed regulated activity on wetlands or watercourses will not be so significant as to warrant the denial of this application. To support this action, the applicant's environmentalist, Clint Webb, Sr. Environmental Planner/Wetland Ecologist of C. Webb & Associates, LLC has submitted reports dated April 23, 2015 and May 20, 2015.
- [2.] The applicant's purpose for the proposed regulated activity is a valid and useful one which alternatives would cause less or no environmental impact to wetlands or watercourses;
- [3.] The feasible and prudent alternatives to the proposed activity have been analyzed by the applicant and the proposed activity is likely to cause less or no environmental impact to wetlands or watercourses than those alternatives.
- [4.] The short-term and long-term impacts of the proposed regulated activity on wetlands or watercourses are not to be so significant as to warrant denial of this application.
- [5.] The long term productivity of the wetlands or watercourses will not be damaged by the approval of this application;
- [6.] The proposed regulated activity will not cause irreversible and irretrievable loss of wetland or watercourse resources.
- [7.] The proposed regulated activity neither threatens nor impacts the safety, health or reasonable use of property; and

[8.] The proposed regulated activity and future activities associated with or reasonably related to, the proposed regulated activities which are made inevitable by the proposed regulated activity will not have significant impacts on wetlands or watercourses outside the area for which the activity is proposed.

In addition the Agency considered measures which would mitigate the impact of the proposed activity and may be imposed as conditions of the permit. Such measures include the availability of further technical improvements or safeguards which could feasibly be added to the plan or action to avoid the reduction of or damage to the wetland's or watercourses natural capacity to support desirable biological life, prevent flooding, supply water, control sedimentation and/or prevent erosion, assimilate wastes, facilitate drainage, and provide recreation and open space. The Agency renders its decision to issue this permit on the following considerations and criteria:

- A. That the natural functions and quality of water in local drainage systems both on and off-site shall be preserved and maintained.
- B. That the overall impact of this development on the environment will be kept to a minimum if the conditions imposed by this permit are carried out by the applicant.
- C. There are no reasonable and prudent alternatives which will allow the same activity to be carried out on the proposed site.
- D. During the period when this permit remains in force, the applicant and the Inland Wetland and Watercourses Agency will be working together in good faith to resolve any matters that may arise relative to the environmental impact on the community due to the activities of the applicant.

The Agency hereby authorizes the applicant to conduct a series of regulated activities on a parcel of land which falls under the jurisdiction of the Inland Wetlands and Watercourse Act of the Connecticut General Statutes and the Inland Wetlands and Watercourses Regulations of the Town of West Hartford. Said parcel of land is located **67 Arlen Way**.

This permit is issued and made subject to the following conditions:

- 1. Plans of record are incorporated by reference in this permit as fully set forth herein.
- 2. The applicant shall file a performance bond or other acceptable surety in the amount of the estimated cost of the project infrastructure improvements, private drainage facilities, environmental control and site work prior to the commencement of any site work and the issuance of building permits to ensure completion of the project as proposed to the IWWA in the official record documents, drawings and exhibits. The bond shall also guarantee corrections of any adverse effects such as siltation occurring downstream. This performance bond shall remain in force and effect until all required improvements are completed and installed.
- 3. Before filing the bond with the IWWA as provided above, the applicant shall submit to the Town Planner, for review of approval by the Town Engineer, a cost estimate for all required improvements to be covered by said bond, prepared by a professional civil engineer. The cost estimate shall be based on unit costs established by the Town Engineer. Together with the filing of said bond with the

Agency, the applicant shall submit two (2) copies of the approved estimate as approved by the Town Engineer.

4. Town Engineering Division shall receive copies of all material received by IWWA and DEEP.
5. The wetland permit is subject to full compliance with the Town erosion and sediment requirements.
6. This IWWA permit approval shall be stripped onto the final set plan.
7. The applicant shall retain a professional engineer to oversee construction of all improvements and related facilities and certify they have been constructed in accordance with the approved plan.
8. There shall be an area of no disturbance five (5) feet out from identified wetlands flags. This area shall be demarcated with silt fence and orange construction fence prior to the start of any site disturbance.
9. Upon completion of site work, a five (5) foot buffer from identified wetlands flags shall be established and shall at all times be plainly marked by permanent signs or by an equivalent, permanent marking system approved by the Town planner designating the area as protected conservation area and shall include a minimum of a twenty (20) shrub upland landscape buffer. A suitable reference approved by Corp. Counsel which will alerts purchasers of this lot to this restricted area shall appear on the deed.

### **SPECIAL SITE DEVELOPMENT AND EROSION CONTROL CONDITIONS**

An integral requirement of this approval is the early installation and construction of all drainage facilities, and all needed erosion and sedimentation control measures. Prior to the start of any construction, related to on-site improvements, site grading or unit construction, the applicant shall install the needed protective measures and shall continuously maintain such throughout the construction process. The requirement of Article VIII, at Section 177-60 through 177-67 of the Code of Ordinances related to Erosion and Sedimentation Control shall govern all site construction activity.

In addition to the above basic requirements, this permit is issued and made subject to the following conditions:

- 1) The applicant shall retain a professional engineer to inspect/oversee construction and the installation/maintenance of the sedimentation and control measures. Inspection shall occur weekly and after each rainstorm and during major storm events to determine all sedimentation and erosion control measures are adequately in place and effective. Biweekly inspection reports shall be provided to the Town Planner and Town Engineer.
- 2) Removal of topsoil will not be permitted until the required siltation/erosion control devices have been installed and inspected by the applicant's engineer. The applicant's engineer shall certify that all erosion and sedimentation controls have been installed according to the approved plan.

- 3) Disturbed areas that will remain idle for extended periods shall be mulched or temporarily seeded for erosion control. In addition, the site contractor shall keep an adequate supply of mulch on site at all times. The Director of Community Services or his designee may order the application of mulch to any area which may have erosion potential.
- 4) The top soil will be stockpiled only in an approved locations.
- 5) No unnecessary encroachments of construction equipment or vehicles shall be permitted in non-construction areas. Vehicular access to undisturbed areas of the site is restricted to the minimum necessary to complete erosion control and drainage systems.
- 6) During construction, outlets of the drainage system shall be protected by hay bale filtration screens or splash pools.
- 7) In addition to the measures shown on the plans, additional erosion and sedimentation control measures shall be installed when determined necessary by the Director of Community Services, or his designee.
- 8) The permit shall expire if not exercised within two (2) years from the date of issuance, or date of final resolution of any legal action challenging this permit.
- 9) This permit shall not be assigned, transferred, sublet or sold to any other person without written permission of the Agency.

\*\*\*\*\*

#### **TOWN COUNCIL REFERRAL AND REQUEST FOR REPORT:**

**26 Caya Avenue** – Application (SDD #93-R1-15) on behalf of Connecticut Association of Public School Superintendents (CAPSS) to amend Special Development District (SDD) #93 at 26 Caya Avenue to demolish the entryway and staircase, construct a two-story, 1,235 square foot addition, demolish the existing detached garage, and expand the parking lot by adding four (4) spaces. (Town Council receipt on May 12, 2015. Town Council public hearing scheduled for June 23, 2015. TPZ receipt on June 1, 2015.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, the TPZ acted by **unanimous vote ( 5-0 )** (Motion/Gillette; Second/Ahern)(Gillette seated for Prestage) (O'Donnell seated for Freeman) to **RECOMMEND APPROVAL** of the subject application.

\*\*\*\*\*

**Resolution Authorizing Execution of Infrastructure Improvement Easement** – Resolution authorizing the Town Manager to execute a storm drainage maintenance easement over 12 Meadow Farms Road. (Town Council receipt on May 12, 2015. TPZ receipt on June 1, 2015.)

After a detailed review of the resolution, the TPZ acted by **unanimous vote (5-0)** (Motion/Ahern; Second/O'Donnell) (Gillette seated for Prestage) (O'Donnell seated for Freeman) to **RECOMMEND APPROVAL** of the subject resolution.

*U: shareddocs/TPZ/minutes/2015/June1\_final*